

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE COMMISSIONER OF HUMAN RIGHTS

State of Minnesota by
Velma Korbel, Commissioner,
Department of Human Rights,

Complainant,

THIRD ORDER
COMPELLING DISCOVERY

vs.

Envios Los Gallos, Inc.,

Respondent

A prehearing conference was held by telephone on December 14, 2004. Erica Jacobson, Assistant Attorney General, 445 Minnesota Street, Suite 900, St. Paul, MN 55101-2127, appeared on behalf of the Department of Human Rights, the Complainant. David M. Lawson, 3055 Old Highway 8, #102, Minneapolis, MN 55418, appeared on behalf of Envios Los Gallos, Inc., the Respondent.

Pursuant to the Second Order Compelling Discovery, dated November 17, 2004, the Respondent was directed to turn over certain documents within seven business days. Many of those documents have not yet been provided. On December 10, 2004, the Complainant filed a Motion for an Order Following Noncompliance pursuant to Minn. R. 1400.6700, subp. 3, requesting a determination that Orlando Cruz Roldan treated Respondent's checking accounts as his own and used money in Respondent's checking accounts for the personal expenses of himself and his family.

In response, the Respondent stated that efforts to obtain all the documents are underway. During the telephone conference, counsel for the Respondent represented that the company checks for 2002 through 2004 were available and would be provided to the Complainant within the next business day. The remaining checks and bank statements will be provided as soon as possible, but in any event, on or before December 31, 2004.

IT IS HEREBY ORDERED:

1. The Respondent shall provide all documents requested by the Complainant as soon as they are available, but no later than **December 31, 2004**. In the event that the documents are not produced, the Complainant may renew its motion.

2. A telephone conference will be held on **January 26, 2005 at 9:30 a.m.** The Administrative Law Judge will initiate the call. A schedule will be set for any dispositive or non-dispositive motions, and the hearing.

Dated this 16th day of December 2004.

/s/ Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge